

Message Text

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ACTION ACDA-10

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TO SECSTATE WASHDC 4526

INFO USDEL SALT TWO GENEVA

ERDA GERMANTOWN

UNCLAS SECTION 1 OF 2 GENEVA 5451

O 11652: NA

TAGS: CCD, PARM, US

SUBJECT: CCD-US STATEMENT IN NWFZ EXPERTS GROUP, JULY 11

1. FOLLOWING IS STATEMENT GIVEN BY AMB. MARTIN AT
JULY 11 EXPERTS' GROUP MEETING (REPORTED SEPTTEL):

BEGIN TEXT:

MR. CHAIRMAN,

I WOULD LIKE TO OFFER A FEW OBSERVATIONS ABOUT OUR
WORK AND IN PARTICULAR ABOUT THE FIRST DRAFT OF CHAPTER III.
MAY I SAY AT THE OUTSET THAT MY DELEGATION IS GRATEFUL FOR
THE SECRETARIAT'S DRAFT. THE DRAFTERS HAVE MADE AN EFFORT
TO PRODUCE A BALANCED DRAFT, WHICH WILL PROVIDE AN EXCELLENT
BASIS FOR OUR FURTHER DELIBERATIONS. MY INTENTION IS NOT TO
PUT FORWARD SPECIFIC PROPOSALS NOW FOR REVISIONS IN THE DRAFT
BUT TO RAISE A FEW ISSUES THAT WE THINK SHOULD BE CONSIDERED
BY THE EXPERTS AND DRAFTING OFFICERS AS THEY CONSIDER
POSSIBLE REVISIONS.

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I THINK I MIGHT BEGIN WITH AN OBSERVATION ON THE
GENERAL TONE OF THE STUDY. IT WOULD BE ADVISABLE, IN OUR

VIEW, TO TRY TO AVOID LETTING OUR HOPES MISLEAD US INTO PAINTING A MORE ROSY PICTURE OF THE PROSPECTS AND POSSIBLE BENEFITS OF NUCLEAR-WEAPON-FREE ZONES THAN IS JUSTIFIED UNDER PRESENT WORLD CONDITIONS. HYPERBOLE AND ABSOLUTES MAY CREATE FALSE EXPECTATIONS, AND FALSE EXPECTATIONS ARE MORE LIKELY TO HARM THAN TO ADVANCE PROSPECTS FOR THE ESTABLISHMENT OF NWFZ'S. WE ALL RECOGNIZE THAT THERE ARE AREAS OF THE WORLD IN WHICH NWFZ'S ARE NOT LIKELY TO BE VIABLE. WE WILL NOT CHANGE THIS REALITY BY CLAIMING TOO MUCH FOR NWFZ'S OR BY IGNORING FACTORS THAT MIGHT MAKE ZONE IN SOME REGIONS NOT ONLY IMPRACTICABLE BUT EVN HARMFUL TO EXISTING SECURITY ARRANGEMENTS.

WE SHOULD ASK OURSELVS WHETHER THE USE OF SUCH TERMS AS "POWERFUL", "INEVITABLE", "CRUCIAL", "NECESSARY", "ESSENTIAL", "VITAL", AND SO ON REFLECT REALISTIC ASSESSMENTS OR WHETHER THEY MERELY BETRAY AN EXCESS OF HOPE. LET ME TURN NOW TO SOME GENERAL OBSERVATIONS ON THE TREATMENT OF VARIOUS ISSUES IN THE DRAFT OF CHAPTER III.

THE FIRST SECTION, DEALING WITH THE OBJECTIVES OF NWFZ'S, WILL BE ONE OF THE MORE IMPORTANT ELEMENTS OF THE STUDY, SINCE THE NATURE AND CONTENT OF ANY NWFZ PROPOSAL WILL DEPEND UPON ITS OBJECTIVES. IN THE DRAFT BEFORE US, OBJECTIVES HAVE BEEN EQUATED WITH "MOTIVATIONS". WOULD IT NOT BE BETTER TO DELETE SUCH A SUBJECTIVE FORMULATION AND INSTEAD FOCUS ON OBJECTIVES IN THE SENSE OF POSSIBLE BENEFITS OF NWFZ'S. IN THIS CONNECTION, IT WOULD BE USEFUL TO ACKNOWLEDGE A NUMBER OF POSSIBLE BENEFITS THAT HAVE BEEN SUGGESTED IN VARIOUS WORKING PAPERS BUT ARE NOT YET REFLECTED IN THE DRAFT. THE OBJECTIVE OF CREATING A FRAMEWORK FOR REGIONAL COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY HAS, FOR EXAMPLE, BEEN MENTIONED, AS HAS THE MORE SPECIFIC IDEA THAT A NWFZ COULD PROVIDE A BASIS FOR THE ESTABLISHMETN OF REGIONAL NUCLEAR FUEL CYCLE CENTERS. ANOTHER OBJECTIVE THAT HAS BEEN MENTIONED IS TO FACILITATE FURTHER REGIONAL FORTS IN THE FILD OF CONVNTIONAL ARMS CONTROL.

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I REFERRED EARLIER TO THE USE OF THE TERM "VITAL". MORE PRECISELY, THE TERM APPEARS IN A DISCUSSION OF THE "VITAL PREREQUISITES" NWFZ'S. WHILE WE CAN PROBABLY AGREE ON A LIMITED SET OF CHARACTERISTICS THAT ARE INHERENE IN ANY DEFINITION OF A NWFZ, IT WOULD BE VERY

DIFFICULT FOR US TO ENDORSE A LIST OF "VITAL PREREQUISITES" OR PRECONDITIONS THAT MUST BE MET IN ORDER TO MAKE A NWFZ SUCCESSFUL-PARTICULARLY WHEN SUCH PREREQUISITES INCLUDE COMMITEMENTS BY STATES OUTSIDE A POTENTIAL ZONE, EVEN IN

ADVANCE OF NEGOTIATIONS TO ESTABLISH THE ZONE.

IN SUPPORTING THE FINAL DECLARATION ADOPTED BY THE
NPT REVIEW CONFERENCE, MY GOVERNMENT JOINED IN RECOGNIZING
THAT "FOR THE MAXIMUM EFFECTIVENESS OF ANY TREATY ARRANGEMENTS
FOR ESTABLISHING A NUCLEAR-WEAPON-FREE ZONE THE COOPERATION
OF THE NUCLEAR-WEAPON STATES IS NECESSARY". I DOUBT THAT
MORE ASSERTIVE LANGUAGE INSISTING ON OBLIGATIONS FROM
NUCLEAR-WEAPON STATES AS OBJECTIVES OF NWFZ'S WOULD SERVE
A USEFUL PURPOSE.

THE SECTION OF CHAPTER III DEALING WITH BASIS PRIN-
CIPALS WILL CERTAINLY BE THE SUBJECT OF EXTENSIVE
DISCUSSION AMONG THE EXPERTS, AND I WILL LIMIT MYSELF NOW
TO TWO GENERAL COMMENTS. FIRST, I BELIEVE IT IMPORTANT
TO INCLUDE AMONG THE BASIC PRINCIPLES THE IDEA THAT THE
SUCCESS OF A ZONE WILL DEPEND UPON THE PARTICIPATION OF
ALL IMPORTANT STATES IN THE REGION, PARTICULARLY THE
MILITARILY SIGNIFICANT STATES. I DOUBT THAT THIS WILL
BE CONSIDERED CONTROVERSIAL.

SECONDLY, I SUGGEST THAT THE TEXT INCLUDE AS A BASIC
PRINCIPLE THAT THE ZONE ARRANGEMENTS MUST EFFECTIVELY
PRECLUDE THE ACQUISITION OF POSSESSION OF ANY NUCLEAR
EXPLOSIVE DEVICES BY THE PARTIES OF THE ZONE. SINCE THIS
IS NOT A MATTER OF CONSENSUS IN THIS GROUP, THE TEXT COULD
FAIRLY RECORD THIS AS A BASIC PRINCIPLE IN THE JUDGMENT OF
MANY OF THE EXPERTS.

THE SECTION CONCERNING PRINCIPLES ALSO CALLS FOR A
DISCUSSION OF REGIONAL CONSIDERATIONS. THE DRAFT DOES
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NOT IN OUR VIEW MAKE CLEAR THE RELEVANCE OF REGIONAL
FACTORS. AN IMPORTANT POINT TO BE MADE IN THE TEXT IS
THAT GUIDELINES OR PRINCIPLES WILL NOT ONLY VARY FROM
REGION TO REGION, BUT THAT, MORE BASICALLY, REGIONAL
CONSIDERATIONS ARE CRUCIAL IN DETERMINING THE VERY
FEASIBILITY OF ESTABLISHING A NWFZ.

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ACTION ACDA-10

INFO OCT-01 IO-10 ISO-00 ERDA-07 AF-06 ARA-10 CIAE-00

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AS FAR AS SECURITY TREATIES AND THE ESTABLISHMENT OF ZONES ARE CONCERNED, WE AGREE WITH THE EXPERTS WHO HAVE INDICATED THAT THE COMPATIBILITY BETWEEN PARTICIPATION IN A NWFZ AND IN A SECURITY ARRANGEMENT MUST BE EXAMINED ON A CASE-BY-CASE BASIS. WE BELIEVE THAT THE STUDY SHOULD AVOID ANY IMPLICATION THAT SECURITY TREATIES ARE AN "OBSTACLE" OR A "PROBLEM" THAT STATES MAY HAVE TO OVERCOME IN ORDER TO JOIN A NWFZ ARRANGEMENT. SUCH AN ASSERTION IGNORES THE POSSIBILITY THAT, FOR SOME COUNTRIES, EXISTING SECURITY ARRANGEMENTS MAY BE MORE EFFECTIVE THAN AN ALTERNATIVE OF PARTICIPATION IN A NWFZ. IF THE STUDY IS TO BE REALISTIC IT SHOULD IN OUR VIEW ACKNOWLEDGE THAT SECURITY RELATIONSHIPS AND NWFZ'S ARE NOT NECESSARILY COMPETITIVE BUT-UNLESS THE INTERNATIONAL SYSTEM IS COMPLETELY REVOLUTIONIZED-MUST BE CONSIDERED AS COMPLEMENTARY.

TURNING TO THE QUESTION OF THE EXTENT AND COMPOSITION OF ZONES, I WISH TO EMPHASIZE THE STRONGLY HELD VIEW OF MY GOVERNMENT THAT REGIONAL GROUPS OF STATES CANNOT IMPOSE SPECIAL LEGAL REGIMES ON AREAS, SUCH AS THE HIGH SEAS AND INTERNATIONAL AIR SPACE, THAT ARE SUBJECT TO WELL ESTABLISHED PRINCIPLES OF INTERNATIONAL LAW. IN THIS CONNECTION, I
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WOULD NOTE THAT WHEN THE UNITED STATES RATIFIED ADDITIONAL PROTOCOL II OF THE TREATY OF TLATELOLCO IT DID SO WITH THE EXPRESS UNDERSTANDING THAT ITS RATIFICATION "COULD NOT BE REGARDED AS IMPLYING RECOGNITION, FOR THE PURPOSES OF THIS TREATY AND ITS PROTOCOLS OR FOR ANY OTHER PURPOSE, OF ANY LEGISLATION WHICH DID NOT, IN THE VIEW OF THE UNITED STATES,

COMPLY WITH THE RELEVANT RULES OF INTERNATIONAL LAW".
THIS WAS A GENERAL REFERENCE AND NOT TO PARTICULAR SPECIFIC
ASPECTS OF INTERNATIONAL LAW.

MR. CHAIRMAN, I HOPE MY OBSERVATION WILL BE ACCEPTED,
AS THEY ARE INTENDED, AS A CONSTRUCTIVE CONTRIBUTION TO OUR
EFFORTS. WHILE I HAVE, IN FACT, EMPHASIZED AREAS IN WHICH
MY DELEGATION BELIEVES SPECIAL CARE AND ATTENTION ARE
CALLED FOR, I WOULD NOT WANT TO GIVE THE IMPRESSION THAT
WE HAVE A NEGATIVE VIEW OF THE WORK TO DATE. ON THE
CONTRARY, WE BELIEVE A VALUABLE BEGINNING HAS BEEN MADE
AND MANY IMPORTANT AREAS OF AGREEMENT HAVE BEEN IDENTIFIED
AND ADMIRABLY DEALT WITH.

MY DELEGATION PLANS TO OFFER SPECIFIC COMMENTS ON
VARIOUS ISSUES, IN WRITING AS REQUESTED. I MUST ADD,
THAT THE IDEAS EXPRESSED TODAY AND THOSE WHICH WILL BE
EMBODIED IN OUR SPECIFIC COMMENTS ARE THOSE OF OUR
DELEGATION AND ARE ALL BEING MADE ON AN AD REFERENDUM
BASIS. I DO NOT INTEND TO REQUEST INSTRUCTIONS FROM MY
GOVERNMENT UNTIL THE DRAFT REPORT IS IN A MORE REFINED
STAGE. I HOPE THAT THOSE COMMENTS AND MY REMARKS TODAY,
TOGETHER WITH THE COMMENTS FROM OTHER EXPERTS, WILL HELP
IN THE PARPARATION OF A SECOND DRAFT. DALE

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